

59-10-1002 Definitions.

As used in this part:

- (1)
 - (a) Except as provided in Subsection (1)(b) or Subsection 59-10-1003(2), "claimant" means a resident or nonresident person that has state taxable income.
 - (b) "Claimant" does not include an estate or trust.
- (2) Except as provided in Subsection 59-10-1003(2), "estate" means a nonresident estate or a resident estate that has state taxable income.
- (3) "Nonrefundable tax credit" or "tax credit" means a tax credit that a claimant, estate, or trust may:
 - (a) claim:
 - (i) as provided by statute; and
 - (ii) in an amount that does not exceed the claimant's, estate's, or trust's tax liability under this chapter for a taxable year; and
 - (b) carry forward or carry back:
 - (i) if allowed by statute; and
 - (ii) to the extent that the amount of the tax credit exceeds the claimant's, estate's, or trust's tax liability under this chapter for a taxable year.
- (4) Except as provided in Subsection 59-10-1003(2), "trust" means a nonresident trust or a resident trust that has state taxable income.

Amended by Chapter 2, 2006 Special Session 4

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